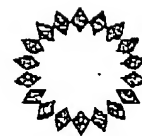


bp



CUSTOMER NO. 04249

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FROM: Carol M. Neth
Paralegal, IP Group
RE: Customer No. 04249
Application No.: 10/718,912
Filed: November 21, 2003
Confirmation No. 9618
Examiner: Walter Dean Griffin
Group Art Unit: 1764
Attorney Docket: 37416-00

Attached is the following document:

Terminal Disclaimer
Form PTO-2038

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AUG 17 2006TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENTAttorney Docket
No. 37,416

In re Application of: Graham W. Ketley, et al.

Application No.: 10/718,912

Filed: November 21, 2003

For: Preparation of Components for Refinery Blending of
Transportation Fuels

Customer No.: 04249

The owner, BP CORPORATION NORTH AMERICA INC., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent granted on copending Application No. 10/718946. The common owner, as evidenced by Reel 0146789, Frame 0320, hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

08/18/2006 MBINAS 08080805 10718912

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Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation partnership, university, government agency, etc.) the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

Date

8/17/06


Signature
Ekkehard Schoettle
Reg. No. 31,420

Attorney's Name/Registration No.

BP AMERICA INC.
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Warrenville, Illinois 60555

☒ Terminal Disclaimer fee under 37 CFR 1.20(d) is included.

☒ PTO suggested wording for terminal disclaimer was:

☒ unchanged

☐ changed

(if changed, an explanation should be supplied).

(021101)